

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VR GLOBAL PARTNERS, L.P., et al.,

Plaintiffs,

vs.

PHILLIP R. BENNETT, et al.,

Defendants.

07 Civ. 8686 (GEL)

ELECTRONICALLY FILED

CAPITAL MANAGEMENT SELECT FUND LTD., et  
al.,

Plaintiffs,

vs.

PHILLIP R. BENNETT, et al.,

Defendants.

07 Civ. 8688 (GEL)

In re REFCO CAPITAL MARKETS, LTD.  
BROKERAGE CUSTOMER SECURITIES  
LITIGATION

06 Civ. 643 (GEL)

**NOTICE OF MOTION TO DISMISS BY DEFENDANT RICHARD N. OUTRIDGE**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law In Support of Defendant Richard N. Outridge's Motion to Dismiss, dated June 18, 2008, the Declaration of Jessica Mastrogiovanni In Support of Defendant Richard N. Outridge's Motion to Dismiss, dated June 18, 2008, the Complaints and all of the other documents filed in the above-captioned actions, defendant Richard N. Outridge, by and through his undersigned counsel, will move this


Court, before the Honorable Gerard E. Lynch, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, and the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4(b), for an Order dismissing with prejudice all claims asserted against him in the Complaints filed in the above-captioned actions.

PLEASE TAKE FURTHER NOTICE that Mr. Outridge requests oral argument before the Court on his motion to dismiss.

Dated: New York, New York  
June 18, 2008

Respectfully submitted,

PROSKAUER ROSE LLP

By:   
Claire P. Gutekunst  
cgutekunst@proskauer.com  
Jessica Mastrogiovanni  
jmastrogiovanni@proskauer.com  
1585 Broadway  
New York, New York 10036-8299  
Telephone: (212) 969-3000  
Facsimile: (212) 969-2900

*Attorneys for Defendant Richard N. Outridge*